

Form PTO 1390 (REV 5-93)		U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE	ATTORNEY'S DOCKET NUMBER <b>P32320</b>
TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED / ELECTED OFFICE (DO/EO/US) CONCERNING A FILING UNDER 35 U.S.C. 371			U.S. APPLICATION NO. (If known, see 37 C.F.R. 1.5) <b>09/980,350</b>
INTERNATIONAL APPLICATION NO. <b>PCT/GB00/02107</b>	INTERNATIONAL FILING DATE <b>1 June 2000</b>	PRIORITY DATE CLAIMED <b>1 June 1999</b>	
TITLE OF INVENTION <b>Use of H-Trek-1 Polypeptides and Polynucleotides Encoding Them</b>			
APPLICANT(S) FOR DO/EO/US <b>Guillaume Jean HERVIEU, Helen Jane MEADOWS, Andrew David RANDALL</b>			

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☐ This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
2. ☒ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
3. ☐ This express request to begin national examination procedures (35 U.S.C. 371(f)) at any time rather than delay examination until the expiration of the applicable time limit set in 35 U.S.C. 371(b) and PCT Articles 22 and 39(1).
4. ☐ A proper Demand for International Preliminary Examination was made by the 19th month from the earliest claimed priority date.
5. ☐ A copy of the International Application as filed (35 U.S.C. 371(c)(2))
  - a. ☐ is transmitted herewith (required only if not transmitted by the International Bureau).
  - b. ☐ has been transmitted by the International Bureau.
  - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☐ A translation of the International Application into English (35 U.S.C. 371(c)(2)).
7. ☐ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))
  - a. ☐ are transmitted herewith (required only if not transmitted by the International Bureau).
  - b. ☐ have been transmitted by the International Bureau.
  - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
  - d. ☐ have not been made and will not be made.
8. ☐ A translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
9. ☐ An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).
10. ☐ A translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).

**Items 11. to 16. below concern other document(s) or information included:**

11. ☐ An Information Disclosure Statement under 37 C.F.R. 1.97 and 1.98.
12. ☐ An assignment document for recording. A separate cover sheet in compliance with 37 C.F.R. 3.28 and 3.31 is included.
13. ☐ A **FIRST** preliminary amendment.
14. ☐ A **SECOND** or **SUBSEQUENT** preliminary amendment.
15. ☐ Please amend the specification by inserting before the first line the sentence: This is a 371 of International Application PCT/EP96/05045, filed November 15, 1996.
16. ☐ A substitute specification.
17. ☐ A change of power of attorney and/or address letter.
18. ☐ An Abstract on a separate sheet of paper.
19. ☒ Other items or information: Communication; Copy of Form PCT/DO/EO/909.

US APPLICATION NO. (if known see 37 CFR 1.50) <b>09/980,350</b>		INTERNATIONAL APPLICATION NO. <b>PCT/GB00/02107</b>		ATTORNEYS DOCKET NO. <b>P32320</b>	
20. <input checked="" type="checkbox"/> The following fees are submitted:				<b>CALCULATIONS    PTO USE ONLY</b>	
<input type="checkbox"/> one month extension.....		\$ 110			
<input type="checkbox"/> two months extension.....		\$ 400			
<input type="checkbox"/> three months extension.....		\$ 920			
<input type="checkbox"/> four months extension (not beyond statutory time period).....		\$1,440			
<input type="checkbox"/> fifth month extension.....		\$1,960			
<b>ENTER APPROPRIATE BASIC FEE AMOUNT =</b>				<b>\$0.00</b>	
Surcharge of <b>\$130.00</b> for furnishing the oath or declaration later than o 20 o 30 months from the earliest claimed priority date (37 CFR 1.492(e)).				<b>\$0.00</b>	
Claims	Number Filed	Number Extra	Rate		
Total claims	- 20 =	0	0 x \$18.00	<b>\$0.00</b>	
Independent claims	- 3 =	0	0 x \$84.00	<b>\$0.00</b>	
Multiple dependent claims (if applicable)			+ \$280.00	<b>\$0.00</b>	
<b>TOTAL OF ABOVE CALCULATIONS =</b>				<b>\$0.00</b>	
Reduction by 1/2 for filing by small entity, if applicable. Verified Small Entity statement must also be filed. (Note 37 CFR 1.9, 1.27, 1.28).				<b>\$</b>	
<b>SUBTOTAL =</b>				<b>\$0.00</b>	
Processing fee of <b>\$130.00</b> for furnishing the English translation later than o 20 o 30 months from the earliest claimed priority date (37 CFR 1.492(f)) +				<b>\$</b>	
<b>TOTAL NATIONAL FEE =</b>				<b>\$0.00</b>	
				Amount to be refunded	\$
				charged	\$

- a. ☐ A check in the amount of \$\_\_\_\_\_ to cover the above fees is enclosed.
- b. ☒ Please charge my Deposit Account No. 19-2570 in the amount of **\$0.00** to cover the above fees. A duplicate copy of this sheet is enclosed.
- c. ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 19-2570. A duplicate copy of this sheet is enclosed.
- d. ☒ General authorization to charge any and all fees under 37 CFR 1.16 or 1.17, including petitions for extension of time relating to this application. (37 CFR 1.136 (a)(3)).

**NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.**

**SEND ALL CORRESPONDENCE TO:**

**GLAXOSMITHKLINE**  
 Corporate Intellectual Property - UW2220  
 P.O. Box 1539  
 King of Prussia, PA 19406-0939  
 Phone (610) 270-5009  
 Facsimile (610) 270-5090

*Elizabeth J. Hecht*  
 SIGNATURE  
 Elizabeth J. Hecht  
 NAME  
 41,824  
 REGISTRATION NO.

"EXPRESS MAIL CERTIFICATE"  
"EXPRESS MAIL" MAILING LABEL NUMBER EV 105 00 305 US  
DATE OF DEPOSIT 19 December 2002

Attorney Docket No. P32320

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Hervieu, *et al.* 19 December 2002  
Serial No.: 09/980,350 Group Art Unit No.: Unknown  
International  
Filing Date: 01 June 2000 Examiner: Unknown  
For: Use of H-Trek-1 Polypeptides and Polynucleotides Encoding Them  
Assistant Commissioner of Patents  
Washington, D.C. 20231  
Attention: DO/US

COMMUNICATION

This Communication is in response to the Notification of Abandonment sent by the United States Patent and Trademark Office on 15 November 2002. Applicants respectfully request that the abandonment notification be rescinded, as Applicants did respond to the Notification of Missing Requirements, submitting an executed Declaration and Power of Attorney, PTO Form 1595 and a fully executed Assignment. These documents, along with a National Stage Transmittal form requesting a five month extension of time, and authorization to charge any necessary fees, were sent by Express Mail to the Assistant Commissioner for Patents, Box PCT, Washington, DC, on 13 August 2002. Copies of the following documents are included with this Communication:

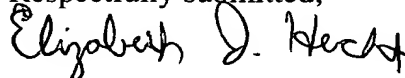
- 1) Copy of National Stage Transmittal;
- 2) Copy of fully executed Declaration/Power of Attorney;
- 3) Copy of PTO Form 1595;
- 4) Copy of fully executed Assignment;
- 5) Copies of Return Postcard stamped "Received" by the United States Patent and Trademark Office;
- 6) Copy of Express Mail airbill.

Serial No.: 10/980,356  
Group Art Unit No.: Unknown

- 2 -

In light of the foregoing Communication, and enclosed documents,  
Applicants respectfully request that the Notification of Abandonment be rescinded,  
and this application be revived.

Respectfully submitted,



Elizabeth J. Hecht  
Agent for Applicants  
Registration No. 41,824

GLAXOSMITHKLINE  
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DOCKET No. P30380 DTOS Rec'd PCT/PTO 13 AUG 2002  
Date Mailed 8/13/02 Atty/Secy FR/dlp

MAILING: CERTIFICATE/EXPRESS MAIL # EV 104998987 US

U.S. Serial No.: 09/980,350 Filing Date:  
Int'l App. No.: PCT/GB00/02107 Int'l Filing Date: 1/1/00

RECEIPT IS ACKNOWLEDGED FOR THE FOLLOWING:

- ☐ Appln. Trans. (+ 1 copy) for: ☐ Provisional ☐ CIP ☐ Statement to Support Filing  
☐ Utility/Continuation ☐ CPA ☐ RCE ☐ Divisional ☐ Copy of Notice to Comply  
☐ Specification \_\_\_\_\_ pages ☐ Abstract \_\_\_\_\_ pgs ☐ Diskette  
☒ Dec. & Power of Atty 3 pages (Signed) ☐ Appeal Brief \_\_\_\_\_ pages  
☐ Drawings \_\_\_\_\_ Sheet(s)/Figs \_\_\_\_\_ to \_\_\_\_\_ ☐ Petition \_\_\_\_\_ pgs.  
☒ Assignment 1 pages & Recordation Cover Sheet ☐ Status Request  
☐ Trans. Ltr Nat'l Stage Entry (3pgs.) ☒ Trans. Nat'l Stage (2nd sub)  
☐ Information Disclosure Statement ☐ Resp. to Written Opinion  
☐ Form PTO-1449 \_\_\_\_\_ pgs. & \_\_\_\_\_ References ☐ Priority Document  
☐ Amendment ☐ Response \_\_\_\_\_ pages ☐ Notice of Appeal/Brief  
☐ Petition for Extension of Time plus 2 copies ☐ Resp. to Rest. Req. \_\_\_\_\_ pgs.  
☐ Issue Fee Trans. (Part B) + 1 copy ☐ Req. to Correct Filing Receipt  
☐ Copy of Notice to File Missing Parts ☐ Copy of Filing Receipt  
☐ Request for Nonpublication (1 pg) ☐ Correct Defects \_\_\_\_\_ pages  
☒ Authorization to Charge Dep. Acct. # 19-2570 ☒ Postcard  
☒ copy of Notice of Missing Requirements



EV 104998987 US



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PATENT  
ATTORNEY'S DOCKET NUMBER P32320

TRANSMITTAL LETTER TO THE U.S. DESIGNATED/ELECTED OFFICE  
(DO/EO/US) – CONCERNING A FILING UNDER 35 U.S.C 371

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INTERNATIONAL APP. NO.	INTERNATIONAL FILING DATE	PRIORITY DATE CLAIMED
PCT/GB00/02107	1 June 2000	1 June 1999

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TITLE OF INVENTION

Use of H-Trek-1 Polypeptides and Polynucleotides Encoding Them

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APPLICANT(S) FOR DO/US

Guillaume Jean HERVIEU, Helen Jane MEADOWS, Andrew David RANDALL

---

Box PCT

Assistant Commissioner for Patents

Washington, D.C. 20231

ATTENTION: DO/US

---

CERTIFICATION UNDER 37 CFR 1.10

I hereby certify that this Transmittal Letter, Form PTO 1390 and the papers indicated as being transmitted therewith, and Post Card are being deposited with the United States Postal Service on this date 13 August 2002 in an envelope as "Express Mail Post Office to Addressee" Mailing Label Number EV104998987US addressed to the: Assistant Commissioner for Patents, Washington, D.C. 20231.

Kathy Taylor

(Typed or printed name of person mailing paper)

Kathy Taylor

(Signature of person mailing paper)

EV104998987US



20462

PATENT TRADEMARK OFFICE



UNITED STATES PATENT AND TRADEMARK OFFICE

 Commissioner for Patents, Box PCT  
 United States Patent and Trademark Office  
 Washington, D.C. 20231  
 www.uspto.gov

CC: RMT

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
09/980,350	Guillaume Jean Hervieu	P32320

INTERNATIONAL APPLICATION NO.

PCT/GB00/02107

I.A. FILING DATE

PRIORITY DATE

06/01/2000

06/01/1999

Glaxosmithkline  
 Corporate Intellectual Property -UW2220  
 PO Box 1539  
 King of Prussia, PA 19406-0939

CONFIRMATION NO. 3095

371  
 ABANDONMENT/TERMINATION  
 LETTER



\*OC000000009111149\*

Date Mailed: 11/15/2002

## NOTIFICATION OF ABANDONMENT

The United States Patent and Trademark Office in its capacity as an Elected Office (37 CFR 1.495), has made the following determination:

- Applicant has failed to respond to the notification of MISSING REQUIREMENTS, mailed 01/30/2002 within the time period set therein.



Therefore, the above identified application failed to meet the requirements of 35 U.S.C. 371 and 37 CFR 1.495, and is ABANDONED AS TO THE UNITED STATES OF AMERICA.

KAREN R MCLEAN

Telephone: (703) 308-9117

PART 1 - ATTORNEY/APPLICANT COPY

FORM PCT/DO/EO/909 (371 Abandonment Notice)

PATENT  
ATTORNEY'S DOCKET NUMBER P32320

TRANSMITTAL LETTER TO THE U.S. DESIGNATED/ELECTED OFFICE  
(DO/EO/US) – CONCERNING A FILING UNDER 35 U.S.C 371

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TITLE OF INVENTION

Use of H-Trek-1 Polypeptides and Polynucleotides Encoding Them

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APPLICANT(S) FOR DO/US

Guillaume Jean HERVIEU, Helen Jane MEADOWS, Andrew David RANDALL

---

Box PCT

Assistant Commissioner for Patents

Washington, D.C. 20231

ATTENTION: DO/US

---

CERTIFICATION UNDER 37 CFR 1.10

I hereby certify that this Transmittal Letter, Form PTO 1390 and the papers indicated as being transmitted therewith, and Post Card are being deposited with the United States Postal Service on this date 19 December 2002 in an envelope as "Express Mail Post Office to Addressee" Mailing Label Number **EV 105 000 305 US** addressed to the: Assistant Commissioner for Patents, Washington, D.C. 20231.

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(Typed or printed name of person mailing paper)

Dawn Trigg

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